

SUMMARY
Solid Waste Site Suitability Rule Revision
August 30, 2005
1:00 p.m.
Elm Street Conference Center

Jim Bell, SWMP
Kay Craig, SWMP
Doug Doerr, Aquaterra Env. Solutions
Tim Duggan, Missouri Attorney General's Office
Bill Duley, DGLS
Karl Finke, Association of Engineering Geologists-St. Louis
Mimi Garstang, DGLS
Alice Geller, DNR
Joe Gillman, DGLS
Tom Gredell, Gredell Engineering, American Council of Engineering Companies of MO
Darleen Groner, HWP
Mark Haddock, Assoc. of Engineering Geologists & Golder Associates
Belinda Harris, State Representative 110
Bud Hayes, Kaysinger Basin RPC
Wayne Henke, State Representative District 11, Troy
Jim Hull, SWMP
Carla Klein, Sierra Club
Beth Marsala, SWMP
Gary Pendergrass, Springfield City Utilities
Peter Price, DGLS
Rob Rohlfs, American Institute of Professional Geologists-MO
Steve Rudloff, Missouri Limestone Producers Association
Mark Russell, Shaw Environmental, Inc.
Charlie Schlottach, Missouri State Representative District 111, Owensville
Steve Sturgess, DGLS
Bill Upmon, Waste Management of Missouri
Bruce Wylie, American Council of Engineering Companies of MO

Recap of Charge and Goals for the day

Alice Geller acted as moderator and opened the meeting by explaining that these meetings are to gather information in order to draft a rule.

Alice asked those in attendance that were sending the survey information to their members to please compile the information before sending it back to DGLS. The survey deadline was extended to September 19. Approximately half of the surveys had been returned at the time of the meeting.

Results of the Surveys

Steve Sturgess gave a short presentation on the 20 surveys that had been received so far. The first survey was a tool for finding common ground among the group so DGLS could then set the criteria for drafting the rule. The second survey was intended to develop a list of potential geologic and hydrologic conditions that might be put into the rule. The term “consensus” in these notes indicates where the majority of survey results were the same.

The first survey showed consensus on several topics, including:

- Human health and safety must be protected
- The environment must be protected
- Landfills should be sited safely and economically
- Missouri has variable geology
- The life of landfills extends beyond regulatory timeframes
- Drinking water supplies must be protected
- Landfills should be monitored for releases
- Landfill gas should not put the public at risk
- Areas of intense karst development and active faults are not appropriate for landfills
- Site-specific data should always be collected in evaluating potential landfill sites

Some other opinions expressed by stakeholders included:

- Assist Businesses in meeting guidelines, but don't weaken the guidelines
- Public is more concerned about NIMBY issues than the environment
- Landfills are a negative influence on a home's values
- Protect Groundwater at any cost – aquifers can't be cleaned
- Aquifers cannot be cleaned easily or economically
- Recycling should be required in lieu of siting new landfills

A letter received on ACEC-MO letterhead was summarized. Mr. Gredell clarified that this was not an official opinion of ACEC-MO, but his own.

Consensus was not reached on some questions. In some cases this may have reflected differences of opinion. In other cases this was probably due to stakeholders interpreting the meaning of the questions in different ways.

Steve continued with part two of the survey presentation. Most of the answers to these questions also reflected some agreement on geologic and hydrologic conditions that should be evaluated in assessing potential landfill sites. Some people did disagree or indicated that they were neutral. Alice asked for a clarification from the group for what they considered ‘neutral’. Some agreed it meant that this was a non-factor, whereas others said that they viewed the survey answers as a one through five scale, with the middle item indicating a “medium” level of importance rather than a neutral position.

There was a short discussion of why people have a NIMBY attitude and what can be done to change people's attitude towards siting of landfills and transfer stations.

Siting Criteria Discussion

The group came up with the following siting characteristics to consider; Depth to groundwater (define groundwater), karst, natural barriers, catastrophic collapse, seismic impact, fault areas, permeability, and travel time of contaminants/groundwater through the subsurface materials.

Tim Duggan added that it is important for DNR to provide guidelines and be consistent on siting issues, or it leaves the department open for litigation. He also stated that there would always be some disagreement between those who believe any obstacle can be engineered around and those who don't want any percent of risk pertaining to landfill siting.

It was noted that there is criteria for taking engineering into consideration in the design of a landfill in the solid waste rules. The rules state that owners/operators of sanitary (demolition and utility are inserted in the appropriate rules) landfills shall demonstrate how adverse geologic and hydrologic conditions may be altered or compensated for via surface water drainage diversion, underdrains, sumps and other structural components. All alterations of the site shall be detailed in the plans.

Landfill Decision-making Methodologies

Steve Sturgess briefly described a few methodologies that could be used to allow for a decision to be made on the suitability of a proposed landfill. The approaches he described included: 1) a simple list of geologic and hydrologic conditions that must be evaluated; 2) a scoring system to evaluate sites; 3) a three-tiered system that would have a "fatal" conditions list, an ideal conditions list, and a list of features that would require an analysis to be done to demonstrate the site is suitable; and 4) a full-blown quantitative risk-based analysis of the site that would model the movement of contaminants away from the site and evaluate potential exposure pathways.

Mimi asked those present to send a draft list of Fatal Flaws, approximately two pages, of what they expect before the next meeting. Send this information to Steve Sturgess. A "strawman" or an outline of a draft rule will be ready prior to the next meeting. The group could use the draft for discussion purposes.

Rulemaking Process

Beth handed out a timeline on DNR's rulemaking process. The group asked for an acronym list. The list will be provided with the agenda, the meeting notes, the final survey results and the strawman rule by the end of September, prior to the next meeting to be held in October.

The meeting adjourned at 4:00.